

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:	)	CHAPTER 11
	)	
CWI CHEROKEE LF LLC	)	CASE NUMBER: 23-52262
	)	
Debtor.	)	
	)	

APPLICATION TO EMPLOY SCHREEDER, WHEELER & FLINT, LLP AS  
COUNSEL FOR THE DEBTOR

COMES NOW CWI CHEROKEE LF LLC, the debtor and debtor in possession in the above-captioned case (the “Debtor”), and in accordance with the provisions of 11 U.S.C. § 327, moves this court for an order permitting it to employ the law firm of Schreeder, Wheeler & Flint, LLP as counsel for the Debtor and in support thereof show this Court as follows:

1.

Debtor filed a petition for relief under Chapter 11 of the United States Bankruptcy Code on March 7, 2023 (the “Petition Date”). No trustee has been appointed and Debtor is operating its business as a debtor-in-possession.

2.

Debtor wishes to employ Schreeder, Wheeler & Flint, LLP as counsel to represent it in this bankruptcy proceeding at its standard hourly rates, as such may

change from time to time. The current hourly rates for the legal professionals that are likely to work on this matter are as follows:

John A. Christy      \$ 525.00

Jonathan A. Akins    \$ 425.00

3.

Schreeder, Wheeler & Flint, LLP has offices located at 1100 Peachtree Street, N.E., Suite 800, Atlanta, Georgia 30309-4516. The attorneys of Schreeder, Wheeler & Flint, LLP are experienced, qualified and competent to represent the Debtor in this proceeding. The attorneys of Schreeder, Wheeler & Flint, LLP are qualified to practice in the United States Bankruptcy Courts in Georgia and have the experience necessary to represent the Debtor in this case.

4.

In order for Debtor to maintain its business and property in the pending case in this Court, it will be necessary for Debtor to retain attorneys to provide various professional services. Among the services to be rendered are:

(a) Preparation of pleadings, schedules and statements of financial affairs, adversary proceedings and applications incidental to administering the Estate;

(b) Development of the relationship and status of debtor-in-possession and handling of claims of creditors in these proceedings, all in the best interests of the

Debtor, creditors and other interested parties;

(c) Advising the debtor-in-possession of its rights, duties and obligations as a debtor-in-possession;

(d) Performing legal services incidental and necessary to the day-to-day operation of the Debtor including, but not limited to, institution and prosecution of necessary legal proceedings, debt restructuring, general business, corporate and legal advice and assistance necessary to the proper preservation and administration of this Estate;

(e) Taking any and all necessary actions incident to the proper preservation and administration of the Debtor and to the conduct of its business;

(f) Preparing a plan of reorganization and disclosure statement; and

(g) Providing post-confirmation legal services in connection with implementation of the plan.

5.

Except as disclosed in connection with the motion, Schreeder, Wheeler & Flint, LLP is a disinterested party as contemplated by 11 U.S.C. § 101(14), and to the best of Debtor's knowledge, said attorneys represent no interest adverse to the Debtor as to matters upon which said attorneys are being engaged by the Debtor, and the firm's appointment will be in the best interest of the estate. Other than as disclosed in the

Statement of Disinterestedness filed herewith, Schreeder, Wheeler & Flint, LLP has no connection with the Debtor, creditor or any other party in interest, the respective attorneys and accountants, judge of this Court, the United States Trustee or any person employed by the United States Trustee except that Debtor wishes to retain Schreeder, Wheeler & Flint, LLP to represent the Debtor as counsel in this case.

WHEREFORE, Debtor requests this Court to enter an Order in accordance with the provisions of 11 U.S.C. § 327 permitting it to employ Schreeder, Wheeler & Flint, LLP as counsel for the Debtor.

This 7th day of March, 2023.

/s/ John A. Christy  
JOHN A. CHRISTY  
Georgia Bar 125518  
jchristy@swfllp.com  
JONATHAN A. AKINS  
Georgia Bar No. 472453  
jakins@swfllp.com

Proposed Attorneys for Debtor

SCHREEDER, WHEELER & FLINT, LLP  
1100 Peachtree Street, N.E., Suite 800  
Atlanta, Georgia 30309-4516  
Tel: (404) 681-3450  
Fax: (404) 681-1046

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DISCLOSURE OF COMPENSATION FOR SERVICES RENDERED  
PURSUANT TO BANKR. R. 2014

COMES NOW the law firm of Schreeder, Wheeler & Flint, LLP and pursuant to the provisions of Rule 2014 of the Rules of Bankruptcy Procedure, hereby makes the following disclosure of compensation for services.

1.

The law firm of Schreeder, Wheeler & Flint, LLP was paid a pre-petition retainer for services to be rendered in connection with this Chapter 11 case, paid by CWI Alabama LLC, a wholly-owned subsidiary of the Debtor. As of the filing of the petition, the balance of said retainer is \$68,800.

2.

Schreeder, Wheeler & Flint, LLP has not been promised any guaranteed future payment for services. The Debtor has agreed to pay Schreeder, Wheeler & Flint,

LLP at its standard hourly rates upon approval of this Court for the services rendered to the Debtor.

3.

The compensation to be paid to Schreeder, Wheeler & Flint, LLP is not to be shared between Schreeder, Wheeler & Flint, LLP and any other entities.

This 7th day of March, 2023.

/s/ John A. Christy  
JOHN A. CHRISTY  
Georgia Bar 125518  
jchristy@swfllp.com  
JONATHAN A. AKINS  
Georgia Bar No. 472453  
jakins@swfllp.com

Proposed Attorneys for Debtor

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STATEMENT OF DISINTERESTEDNESS PURSUANT TO 11 U.S.C. § 327  
AND BANKRUPTCY RULES 2014 AND 5002

STATE OF GEORGIA  
COUNTY OF FULTON

John A. Christy declares as follows:

1.

My name is John A. Christy and I am a partner of Schreeder, Wheeler & Flint, LLP (“SWF”) and this declaration is being made upon my personal knowledge.

2.

SWF is a “disinterested person”, as defined by 11 U.S.C. § 101(14), with respect to the above-mentioned Debtor.

3.

SWF represents no interest adverse to the Debtor as to matters upon which it has been engaged by the Debtor. The appointment of SWF as Debtor’s counsel is in the best interest of the Estate.

4.

SWF has, in the past, represented Mr. Stephen Witmer personally in matters unrelated to this bankruptcy case. Further, SWF has represented entities related to Mr. Witmer in matters unrelated to this bankruptcy case; however, in no such engagements has SWF represented any interest adverse to the Debtor, and SWF does not have any interests materially adverse to the estate.

5.

Except as disclosed herein, in its application and in its disclosure of compensation, the members of SWF have no connection with the Debtor, any creditor, the respective attorneys and accountants, the United States Trustee or any persons employed by the United States Trustee, any judge of this Court or any person employed by a judge of this Court, or any other party in interest.

I certify under penalty of perjury that the foregoing is true and correct.  
Executed on March 7, 2023.

/s/ John A. Christy  
JOHN A. CHRISTY  
Georgia Bar No. 125518



### CERTIFICATE OF SERVICE

This is to certify that I have served a copy of the within and foregoing APPLICATION TO EMPLOY SCHREEDER, WHEELER & FLINT, LLP AS COUNSEL FOR THE DEBTOR, STATEMENT OF DISINTERESTEDNESS PURSUANT TO 11 U.S.C. § 327 AND BANKRUPTCY RULES 2014 AND 5002 and DISCLOSURE OF COMPENSATION FOR SERVICES RENDERED PURSUANT TO BANKR. R. 2014 on the United States Trustee in accordance with Fed. R. Bankr. P. 2014 by placing the same in the United States Mail, addressed to

Office of the United States Trustee  
75 Ted Turner Drive, SW, Room 362  
Atlanta, Georgia 30303

This 7<sup>th</sup> day of March, 2023.

/s/ Jonathan A. Akins  
JOHN A. CHRISTY  
Georgia Bar 125518  
jchristy@swfllp.com  
JONATHAN A. AKINS  
Georgia Bar No. 472453  
jakins@swfllp.com

Proposed Attorneys for Debtor

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